

Message

From: Riggs, James [riggs.james@epa.gov]
Sent: 8/1/2018 3:38:29 PM
To: Dalcher, Debra [dalcher.debra@epa.gov]
Subject: FW: Follow Up: General Dynamics Regulatory Determination Request

Debra,

See the first email in this chain for a brief timeline of events regarding General Dynamics' discussion with VA.

James Riggs
Physical Scientist
Office of Air Enforcement and Compliance Assistance
Air Protection Division
EPA Region III
215-814-2238

From: Maldonado, Zelma
Sent: Friday, May 18, 2018 9:46 AM
To: Riggs, James <riggs.james@epa.gov>
Cc: Malone, Erin <Malone.Erin@epa.gov>; Opila, MaryCate <Opila.MaryCate@epa.gov>; duke, gerallyn <duke.gerallyn@epa.gov>
Subject: FW: Follow Up: General Dynamics Regulatory Determination Request

Hi Guys:

I received this letter about a month ago. General Dynamics (GD) wants to be reclassified from a major source of HAPs. They are currently subject to Part 63, Subpart GG and MMMM. James since you are assigned to 4M you get to work on it...no need to thank me! I'm adding Erin Malone since I know she has done some 4M work and can help if needed. I have asked permits to work with us since I feel it may more appropriate for GD to request this via permitting. We will be discussing this soon. Mary Cate proposed to set up a meeting to talk about it. Keep posted
Thanks,

*Zelma Maldonado
Associate Director
Office of Air Enforcement
and Compliance Assistance (3AP20)
U.S. EPA Region 3
1650 Arch Street Philadelphia, PA 19103
Phone: 215-814-3448
Email: Maldonado.Zelma@epa.gov*

From: Opila, MaryCate
Sent: Friday, May 18, 2018 7:54 AM
To: Maldonado, Zelma <Maldonado.Zelma@epa.gov>
Subject: FW: Follow Up: General Dynamics Regulatory Determination Request

Hi Zelma,

Sorry, I forgot to copy you on my email. Here are the attachments. Either I or Gerallyn will touch base with you next week.

-Mary Cate

Mary Cate Opila, P.E., Ph.D.
Environmental Engineer
EPA Region III
Air Protection Division
Office of Permits and State Programs (3AP10)
1650 Arch Street
Philadelphia, PA 19103
215-814-2041

From: Opila, MaryCate
Sent: Thursday, May 17, 2018 4:14 PM
To: Scott, Gail <Scott.Gail@epa.gov>
Cc: Fernandez, Cristina <Fernandez.Cristina@epa.gov>; duke, gerallyn <duke.gerallyn@epa.gov>
Subject: RE: Follow Up: General Dynamics Regulatory Determination Request

Hi Gail,

This is the first I have seen or heard of this. I believe Zelma's group typically handles applicability determinations. We will work with Zelma next week (I believe she is off tomorrow) to determine a path forward.

Thanks,
Mary Cate

Mary Cate Opila, P.E., Ph.D.
Environmental Engineer
EPA Region III
Air Protection Division
Office of Permits and State Programs (3AP10)
1650 Arch Street
Philadelphia, PA 19103
215-814-2041

From: Scott, Gail
Sent: Thursday, May 17, 2018 3:09 PM
To: Opila, MaryCate <Opila.MaryCate@epa.gov>
Cc: Fernandez, Cristina <Fernandez.Cristina@epa.gov>; duke, gerallyn <duke.gerallyn@epa.gov>
Subject: FW: Follow Up: General Dynamics Regulatory Determination Request

Mary Cate,
Are you familiar with this request? Please advise if your program has handled this issue or if OAQPS has taken the lead.
Thanks!

From: Sternberg, David
Sent: Thursday, May 17, 2018 3:03 PM
To: Scott, Gail <Scott.Gail@epa.gov>
Cc: Hamilton, Brian <Hamilton.Brian@epa.gov>; Mastro, Donna <Mastro.Donna@epa.gov>; Graff, Jeannine <Graff.Jeannine@epa.gov>; Smith, William (Region 3) <smith.william@epa.gov>
Subject: FW: Follow Up: General Dynamics Regulatory Determination Request

Hi Gail,

While I am not sure what happened to the original correspondence, this would appear to be a matter that the program and ORC would handle.

Please let me know if I can be of further assistance.

Thanks,

David

From: Gary Yoder [<mailto:gyoder@climeco.com>]
Sent: Thursday, May 17, 2018 2:35 PM
To: Sternberg, David <Sternberg.David@epa.gov>
Cc: Stanley, Cliff C <Cliff.Stanley@gd-ms.com>
Subject: Follow Up: General Dynamics Regulatory Determination Request

Good Afternoon Mr. Sternberg,

On behalf of General Dynamics (Marion, VA), I'm forwarding a copy of their January 19, 2018 letter addressed to Mr. Seneca of your office regarding a request to receive a regulatory determination from Region 3 of the USEPA. The regulatory determination pertains to the facility's desire to reclassify from a major to area source for hazardous air pollutant (HAP) emissions. General Dynamics has not received a response from the USEPA. For brevity, the following is a chronology (followed by the purpose of this email) of General Dynamic's pursuit of reclassification:

- August 2017: General Dynamics/VDEQ meeting to discuss reclassification pursuant to 12/5/05 USEPA memo for delisted HAP (MEK).
 - VDEQ presents one year (1998) from their records that methylene chloride emissions were greater than 10 tons and cannot grant reclassification.
 - VDEQ recommends requesting a regulatory determination directly with Region 3 of the USEPA.
- January 19, 2018: General Dynamics sends a regulatory determination request letter (attached) to Mr. Seneca, Region 3. No response to date.
- January 25, 2018: William Wehrum (USEPA) memo published regarding Once In, Always In policy.
- April 4, 2018: Virginia's Governor Northam Press Release (attached).
- April 25, 2018: General Dynamics call with Mr. Robert Feagins (SW Regional Office of VDEQ) regarding General Dynamics reclassification request considering the Wehrum memo. Mr. Feagins stated the VDEQ is "still reviewing" the state-wide implications of the memo at the central office level. He cited concerns about the regulated community removing control and the state's anti-backsliding regulation.

Based on Virginia's position and lack of response following the Wehrum memo, General Dynamics is respectfully requesting for a response from the USEPA on their HAP reclassification case. If favorable, General Dynamics will present the USEPA response to the VDEQ for a case-specific consideration to reclassify the facility to an area HAP source.

If you have any questions or need additional information, I can be reached at (919) 301-0419. You may also contact Mr. Cliff Stanley (copied on this email) of General Dynamics at (276) 783-1324.

Gary T. Yoder
Vice President of Environmental Services
Direct: (919) 301-0419

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